

AN ORDINANCE

**99003**

**SELECTING K.M. NG & ASSOCIATES, INC. (MBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SEMLINGER ROAD – LORD TO RIGSBY PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$230,500.00; AUTHORIZING \$23,050.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$253,550.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The firm of K. M. Ng & Associates, Inc. is hereby selected to provide engineering services in connection with the Semlinger Road-Lord to Rigsby Project. A copy of the proposal is attached hereto and incorporated herein for all purposes as Attachment I.

**SECTION 2** City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$230,500.00. The amount of \$23,050.00 is authorized for design contingency expenses.

**SECTION 3.** If a contract can be negotiated in accordance with the terms of the standard form contract for engineering services, appearing in substantially the same form as Attachment II attached hereto and incorporated herein for all purposes, and in accordance with the price provisions contained herein, the City Manager or her designee is authorized to execute such an agreement without further Council action. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent Ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the legal requirements set out in Section 2254.004 of the Texas Government Code.

**SECTION 4.**

a) The amount of \$230,500.00 is appropriated in fund 48-000019, Municipal Drainage Utility System Revenue Bonds, 2003, in index code 758110, entitled Engineering Contract, and is authorized to be encumbered and made payable to K.M. Ng & Associates for engineering services in connection with the Semlinger Road – Lord to Rigsby project.


b) The amount of \$23,050.00 is appropriated in fund 48-000019, Municipal Drainage Utility System Revenue Bonds, 2003, in index code 758292, entitled Engineering Contingency, and is authorized to be encumbered and made payable for design contingency expenses in connection with the Semlinger Road – Lord to Rigsby project.

**SECTION 5.** This Ordinance is also a declaration of the City's official intent to reimburse itself from the proceeds derived from the sale of General Obligation Bonds, Certificates of Obligation, or other sources of revenue or financing, for any authorized expenditures previously incurred from lawfully available funds of the City.

**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This ordinance shall take effect on March 21, 2004.

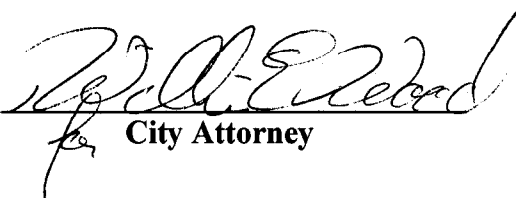
**PASSED AND APPROVED** this the 4<sup>th</sup> day of April, 2004.

  
M A Y O R  
EDWARD D. GARZA

**ATTEST:**

  
CITY CLERK

**APPROVED AS TO FORM:**

  
City Attorney